

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

v.

SEAN NANCE,

Defendant.

ORDER

02-cr-95-bbc

Defendant Sean Nance has filed a motion pursuant to 18 U.S.C. § 3582, seeking a reduction of the sentence imposed upon him by the Honorable John C. Shabaz on January 29, 2003 and amended on July 9, 2004. Now that Judge Shabaz has taken senior status, I am handling the cases assigned to him, including this one.

At sentencing, defendant was determined to be a career offender as defined in U.S.S.G. § 4B1.1(a). As a career offender, he is not affected by the 2007 amendments to the sentencing guidelines, which were intended to reduce the disparities in sentences for crack cocaine and powder cocaine. Defendant's sentence was determined by his status as

a career offender and not by drug quantity. Therefore, I must deny his motion for a sentence reduction.

ORDER

IT IS ORDERED that defendant Sean Nance's motion for a sentence reduction under 18 U.S.C. § 3582 is DENIED.

Entered this 30th day of November, 2009.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge